

Exhibit No. 16

Case No. 22-cv-00384-JSR

Declaration of Rhett O. Millsaps II In Further Support Of
Rothschild's Motion For Summary Judgment

Nicolas Martin
August 30, 2022

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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HERMÈS INTERNATIONAL AND HERMÈS OF PARIS, INC.,

Plaintiff,

Index No.:
22-CV-00384-JSR

-against-

MASON ROTHSCHILD,

Defendant.

- - - - -x

REALTIME DEPOSITION

OF

NICOLAS MARTIN

TAKEN ON: August 30th, 2022

- - - - -x

Nicolas Martin
August 30, 2022

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I N D E X

WITNESS	EXAMINATION BY	PAGE
NICOLAS MARTIN	MR. MILLSAPS	13
NICOLAS MARTIN	MR. WARSHAVSKY	209

1 N. MARTIN

2 From what I understand, that is the
3 equivalent of the universe, but in the
4 digital world. The universe, the
5 metaverse.

6 Q. And did you discuss with
7 people in your IT department what the
8 metaverse is?

9 A. I don't understand the
10 question. I -- I've been discussing
11 with them. They have a presentation of
12 what it is, but it's -- I'm not an IT
13 expert, so I'm not sure my definition
14 is perfect.

15 Q. In your understanding is
16 the metaverse a particular place?

17 A. I don't know a particular
18 place. What does it mean exactly.

19 TRANSLATOR: (Translating).

20 A. I think it could be a
21 particular place in the digital world.

22 Q. How does Hermès define art?

23 MR. WARSHAVSKY: Objection.

24 It's beyond the scope of this
25 deposition.

1 N. MARTIN

2 And again, you can answer it
3 if you would like to, or if you can, I
4 should say.

5 Answer it if you can.

6 THE WITNESS:

7 A. Personally, I'm not an
8 IT -- artistic -- expert -- I'm not an
9 expert in art, and to my knowledge,
10 there's no definition of art,
11 otherwise.

12 MR. MILLSAPS:

13 Q. Okay.

14 Does Hermès consider itself
15 to be an artistic company?

16 A. Here, again, what is
17 artistic company?

18 Q. What is your personal
19 understanding of the definition of art?

20 MR. WARSHAVSKY: Objection.

21 I think the witness already testify
22 testified to this.

23 But you can go ahead and
24 answer.

25 THE WITNESS:

1 N. MARTIN

2 A. I'm not an expert what to
3 define what is art.

4 MR. MILLSAPS:

5 Q. Okay.

6 Do you own any art?

7 A. Sorry?

8 Q. Do you personally own any
9 art?

10 A. To be an expert -- I -- I
11 don't think so.

12 Q. Have you ever been to the
13 Louvre?

14 A. Yes.

15 Q. And why did you go to the
16 Louvre?

17 A. Because you can see very
18 nice work.

19 Q. What kind of work did you
20 see at the Louvre?

21 A. I could see paintings. You
22 could see sculptures; you could even
23 see -- if I'm correct, ancient the old
24 pieces from Egypt. You could see a
25 lot -- a lot of things.

Nicolas Martin
August 30, 2022

C E R T I F I C A T E

I, AMBRIA IANAZZI, a Registered
Professional Reporter, Certified Realtime
Reporter, New York Association Certified Reporter,
New York Realtime Certified Reporter, Certified
Shorthand Reporter and Notary Public in New York
do hereby certify:

That MARTIN NICOLAS whose
examination is hereinbefore set forth, was duly
sworn, and that such examination is a true record
of the testimony given by MARTIN NICOLAS.

I further certify that I am not
related to any of the parties to this action by
blood or marriage; and that I am in no way
interested in the outcome of this matter.

In witness whereof, I have hereunto set
my hand this 6th day of September, 2022.

Ambria Ianazzi

AMBRIA IANAZZI, RPR, CRR, CSR